

Fiscal Year (FY) 2020-2021 WORK PLAN

Nonpoint Source & Surface Water Protection Division

**Programs:
Forest Activities Program
Surface Waterbody Protection
Dairy Program
Restoration Program
Five-Year Nonpoint Source Workplan**

Division Chief: Jonathan Warmerdam



Contents

1.0 NONPOINT SOURCE AND SURFACE WATER PROTECTION DIVISION	3
1.1 Nonpoint Source and Forest Activities Program.....	3
1.2 Nonpoint Source and 401 Certification Program.....	6
1.3 Dairy Program	7
1.4 Restoration Program	7
1.5 Nonpoint Source Workplan.....	9
2.0 DIVISION RESOURCES.....	10
2.1 Staffing.....	10
2.2 COVID-19-related impacts on Division output during FY 2020-21	11
3.0 FOREST ACTIVITIES PROGRAM	13
3.1 Core Activities and Projects by Priority	13
3.2 Core Activity and Special Project Descriptions.....	13
3.3 Performance Targets	16
4.0 NONPOINT SOURCE AND 401 CERTIFICATION PROGRAM	18
4.1 Core Activities and Projects by Priority	18
4.2 Core Activity and Project Descriptions.....	18
4.3 Performance Targets.....	20
5.0 DAIRY PROGRAM	21
5.1 Core Activities and Projects by Priority	21
5.2 Core Activity and Project Descriptions.....	21
5.3 Performance Targets	22
6.0 RESTORATION PROGRAM.....	24
6.1 Core Activities and Projects by Priority	24
6.2 Core Activity and Project Descriptions.....	24
7.0 NONPOINT SOURCE WORKPLAN	26
7.1 Core Activities and Projects by Priority	26
7.2 Core Activity and Project Descriptions.....	26

1.0 NONPOINT SOURCE AND SURFACE WATER PROTECTION DIVISION

The Nonpoint Source and Surface Water Protection Division (Division) is made up of four staffed units and one dedicated Restoration Specialist that together conduct the Division's primary core activities and oversee several special projects/programs. The four staffed units include the Northern and Southern Nonpoint Source and Forestry Units (informally referred to as the "Forest Activities Program") and the Northern and Southern Nonpoint Source and 401 Certification Units. The Restoration Specialist is a senior-level staff who works directly with the division chief and who's focus is to support implementation of the *Policy in Support of Restoration in the North Coast Region*.

1.1 Nonpoint Source and Forest Activities Program

The North Coast Water Board's Forest Activities Program (FAP) addresses nonpoint source (NPS) discharges associated with the land use activities of our forested landscapes. Our forested watersheds are of significant economic importance, providing a source of water supply, timber, fisheries, and recreational use, while supporting a diverse array of both terrestrial and aquatic species, including several threatened and endangered salmonid species. Potential impacts from land disturbing activities in our forests include sediment discharges from felling trees; yarding and hauling of logs; road construction and reconstruction; watercourse crossing construction, reconstruction, or removal; livestock grazing; herbicide applications; and road use and maintenance. Impacts to stream temperature can result from removal of vegetation providing shade to streams. These activities can impact the beneficial uses of water by: 1) silting over fish spawning habitats; 2) clogging drinking water intakes; 3) filling in pools creating shallower, wider, and warmer streams, and increasing downstream flooding; 4) creating unstable stream channels; 5) losing riparian habitat and function; and 6) increasing stream temperatures.

Some forest management activities have the potential to positively affect the beneficial uses of our surface waters. Timber harvesting and fuels reduction operations provide an opportunity to decommission, replace or reconstruct legacy roads which are frequent sources of chronic sediment inputs to surface waters. Fuels reduction projects can assist in reducing wildfire severity and thus can reduce post-fire sediment discharges. Mitigation and restoration work can provide opportunities for addressing legacy erosion sites and removal of fish migration barriers.

The North Coast Water Board has developed several permits (i.e., Waste Discharge Requirements (WDRs) or Waiver of Waste Discharge Requirements (Waivers)) for addressing NPS discharges associated with forest management activities on both private and federal lands.

Program Activities

- Regulation of Private Timber Harvest Activities and Participation in CAL FIRE Review Team Process

North Coast Water Board FAP staff implement several general, individual, and watershed wide WDRs and Waivers regulating timber harvest and related activities. In addition, FAP staff coordinates with CAL FIRE in the review of timber harvest projects submitted for non-federal lands. Detailed review and field inspections by staff are reserved for those projects that appear to pose the greatest threat to water quality. This effort constitutes a proactive approach to prevent timber harvest related impacts on water quality and assists in educating the timber industry of the need to implement additional management measures (beyond those required by the Board of Forestry's Forest Practice Rules) where necessary to comply with Porter-Cologne, our Basin Plan objectives, and Total Daily Maximum Load requirements.

- Regulation of Activities on Federal Lands

FAP staff oversee various land management activities on federal lands such as timber harvesting, livestock grazing, vegetation management, road-related work, fire suppression and recovery, restoration, and recreation. On October 8, 2015, the Regional Water Board adopted the *Waiver of Waste Discharge Requirements for Discharges Related to Certain Federal Land Management Activities on National Forest System Lands in the North Coast Region*, Order No. R1-2015-0021 (Federal Waiver). Regional Water Board staff are developing a new permit for certain nonpoint source activities on federal lands (Federal Lands Permit) to address lessons learned from implementing the Federal Waiver; changes to the environment; an increasing annual fire regime; new state and federal policies; and other factors that affect how the Regional Water Board should regulate federal lands. The Federal Waiver will expire on October 8, 2020 and staff will be seeking a short-term renewal of the Federal Waiver by the Board in August 2020.

- Post-fire Salvage Logging Inspection Workplan

In 2019, North Coast Water Board staff initiated a Post-fire Salvage Logging Inspection Workplan to review projects that are submitted to CAL FIRE as emergency notices. Staff worked with CAL FIRE to review 20 post-fire salvage operations to ensure that emergency notices are conducted in a manner that is protective of water quality. During Fiscal Year 2020/21, staff will continue to conduct inspections of emergency notice projects but are collaborating with CAL FIRE to continue to investigate the use and performance of different exemption and emergency projects as is required by Senate Bill 901, Wildfire (Dodd). The Post-Fire Salvage Logging Inspection Workplan and ongoing investigation of exemption and emergency projects will assist North Coast Water Board staff in the future revisions to the Categorical Waiver of Waste Discharge Requirements for Non-Federal Timber Harvest Related Activities.

Nonpoint Source & Surface Water Protection Division
Division Workplan for FY 2020-2021

- Participation in the Timber Regulation and Forest Restoration Program (TRFRP) North Coast Water Board Forest Activities Program staff are members of the TRFRP leadership team and various working groups. TRFRP provides statewide guidance to a variety of timber harvest related activities, including regulation, interagency coordination, restoration, grants, monitoring, improving efficiencies, training, etc.

- CAL FIRE and Board of Forestry's California Vegetation Treatment Program - Programmatic EIR

North Coast Water Board staff are coordinating with CAL FIRE on their new California Vegetation Treatment Program and its associated Programmatic Environmental Impact Report. CAL FIRE developed the California Vegetation Treatment Program in order to support non-commercial fuels management activities conducted without a timber harvest plan. North Coast Water Board staff are coordinating with the State Water Board and other regional water quality control board forest activities programs during the State Water Board's development of a new statewide Vegetation Management General Order. State Water Board staff anticipate that the Vegetation Management General Order will be considered for adoption by the State Water Board in late 2020 and will likely rely on the California Vegetation Treatment Program's associated Programmatic Environmental Impact Report for CEQA coverage.

- Participation in the California Board of Forestry Committees and Rule Making Process

Program staff attend select Board of Forestry committee and regular meetings where proposed rule changes relating to water quality protection are drafted and then considered for adoption.

- Coordination with the State Water Board, CAL FIRE and other Regional Boards Staff works closely with the State Water Board and other regional boards to coordinate review and oversight of forest activities, comment on proposed legislation, and communicate regularly on issues with the potential to affect the program.

- Outreach to Industry and Watershed Groups

Staff works with local watershed groups to address concerns regarding water quality issues associated with forest activities. Staff also communicates with the regulated industry by speaking at conferences and industry group meetings.

- Enforcement Actions

Staff initiates enforcement actions in the form of Notices of Violation for corrective actions, Cleanup and Abatement Orders, or civil penalties for those activities that violate WDR or Waiver conditions and threaten to adversely affect water quality.

- 5C - County Roads Program

Staff oversees the implementation of the Five Counties Salmonid Conservation Program (5C Program) via Order No. R1-2018-0011. The 5C Program provides an efficient and organized structure for preventing and mitigating water quality impacts from county and rural road maintenance activities, and also implements important fish passage and restoration projects in much of the North Coast Region.

- **Governor's Forest Management Task Force**
Staff participate in the Governor's Forest Management Task Force. The task force was formed in 2018 in order to implement the Governor's Executive Order on Forests and the recommendations of the California Forest Carbon Plan.

1.2 Nonpoint Source and 401 Certification Program

The Northern and Southern Nonpoint Source and 401 Certification Units issue permits for and assist the public in understanding the rules and regulations regarding proposed projects that may impact "waters of the state", which are defined as any surface water or groundwater, including saline waters, within the boundaries of the state. Examples of waters of the state that are regulated under this unit include isolated wetlands, coastal wetlands, streams, rivers and lakes.

If a project is located within or adjacent to waters of the state, and the proposed project may directly or indirectly impact those waters, the applicant is required to apply for a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects). The rules and regulations apply to all waters of the state, including isolated wetlands and stream channels that may be dry during much of the year, have been modified in the past, look like a depression or drainage ditch, have no riparian corridor, or are on private land. 401 Program staff review the applications, visit project sites, and write the permits, that are issued by the Executive Officer.

Anyone proposing to conduct a project that requires a federal permit or involves dredge or fill activities that may result in a discharge to U.S. surface waters and waters of the state, are required to obtain a Clean Water Act (CWA) Section 401 Water Quality Certification from the North Coast Water Board. If a proposed project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to waters of the state, the North Coast Water Board has the option to regulate the project under its state authority (Porter-Cologne) in the form of Waste Discharge Requirements (WDRs) or Waiver of Waste Discharge Requirements.

On April 2, 2019 the State Water Resources Control Board adopted the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), for inclusion in the Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California. The Procedures consist of four major elements: 1) a wetland definition; 2) wetland delineation procedures; 3) a wetland jurisdictional framework; and 4) procedures for the submittal, review and approval of applications for Water Quality Certifications and Waste Discharge Requirements for dredge or fill activities. The Procedures apply to all applications for discharges of dredged or fill material to waters of the state and became effective on May 28, 2020. North Coast Water Board staff will be following the Procedures and supporting stakeholders adapt to the new requirements.

Restoration projects, such as fish passage improvements, large woody debris fish habitat structures, beaver dam analogs (BDAs), and other restoration projects are also

permitted through the Nonpoint Source and 401 Certification Unit as well as the North Coast Water Board's Restoration Specialist.

The Northern and Southern Nonpoint Source and 401 Certification Units also respond to complaints that may involve impacts to surface waters of the state. Complaints may require enforcement actions by 401 Program staff, in cooperation with Office of Chief Counsel, Office of Enforcement, County District Attorneys, Attorney General, or Federal Department of Justice. 401 Staff enforce requirements within issued 401 Certifications/WDRs, or other issued permits.

As a result of SB-901 Wildfires (Dodd), the Nonpoint Source and 401 Certification Units were provided additional staff to oversee utility corridor management projects. The State Water Board began development of a new statewide Utility Wildfire Prevention General Order (401) in mid-2020 and set a goal for its adoption in 2021. North Coast Water Board staff are collaborating with the State Board and other regional water quality control boards as the new Utility Wildfire Prevention General Order is being developed.

Other Program Activities

- Caltrans Liaison

Under contract with the California Department of Transportation (Caltrans), the Southern Nonpoint Source and 401 Certification Unit has one dedicated staff who functions as the Caltrans Liaison for the North Coast Water Board. The Liaison reviews all Caltrans projects throughout the region that have the potential to affect waters of the state, conducts field inspections during project implementation, and issues water quality certifications.

- Vineyard and Fish Friendly Farming

Division staff participate in the review of vineyard management activities, including the Fish Friendly Farming certification program for agricultural activities managed to restore fish and wildlife habitat and improve water quality.

1.3 Dairy Program

The North Coast Water Board's Dairy Program currently regulates waste discharge from dairies under Order No. R1-2019-0001, General Waste Discharge Requirements for Dairies in The North Coast Region. The Program regulates operations in the North Coast Region that include cow, goat, sheep and water buffalo dairies. Other Dairy Program activities include compliance inspections, review of annual reports and water quality data, education meetings annually for dairy operators, and meetings with dischargers and dairy representatives regarding regulation, project funding, enforcement, and general compliance.

1.4 Restoration Program

The Division also includes a dedicated Senior Environmental Scientist assigned as the office's Restoration Specialist. The Restoration Specialist provides support across the office to implement the Regional Water Board's Policy in Support of Restoration in the

Nonpoint Source & Surface Water Protection Division
Division Workplan for FY 2020-2021

North Coast Region - Order No. R1-2015-0001 (Restoration Policy). The Restoration Policy is primarily a narrative expressing support for restoration and similar type projects. The Policy describes in detail: (1) the importance of restoration projects for the protection, enhancement and recovery of beneficial uses, (2) the obstacles that slow or preclude restoration actions, (3) the legal and procedural requirements for permitting restoration projects, (4) the ongoing Regional Water Board effort to provide support towards the implementation of restoration projects, and (5) direction to staff to continue to support restoration in the future.

Other Program Activities

The Restoration Program includes a variety of special projects designed to increase the pace and scale of aquatic habitat enhancement, including:

- **Mendocino County Permit Coordination Program**
Staff oversee the ongoing implementation of the Mendocino County Resource Conservation District's *Mendocino County Permit Coordination Program* (MCPCP). The MCPCP was designed to provide streamlined state and federal permitting and programmatic CEQA for specific conservation and restoration practices. The MCPCP is regulated through Order No. R1-2019-0004, a Conditional Waiver of Waste Discharge Requirements, General Water Quality Certification, and Monitoring and Reporting Program.
- **Wood for Salmon Working Group**
Staff continue to chair the Wood for Salmon Working Group (WFSWG), an ongoing collaboration between state and federal regulatory agencies, environmental non-profits, and stakeholders. The mission of the WFSWG is to promote recovery action described in state and federal salmonid recovery plans by accelerating the pace and scale of instream restoration projects, especially large wood enhancement.
- **Grant Management and Technical Assistance**
Staff manage two grants funded through the Timber Regulation and Forest Restoration Fund (TRFR), conduct reviews of new grant proposals through the TRFR and 319h Nonpoint Source Grant Funding Program, and provide technical assistance to the grant managers from the Adaptive Management Unit.
- **Trinity River Restoration Program**
Staff oversee the activities of the Trinity River Restoration Program through existing General 401 Water Quality Certifications, waste discharge requirements, and ensuring that projects are consistent with a Master Environmental Impact Report.
- **Redwood Rising**
Staff are coordinating with the National Parks and California State Parks to develop and adopt General Water Quality Certifications for two watershed-scale restoration projects (the Greater Mill Creek Ecosystem Restoration Project and the Greater Prairie Creek Ecosystem Restoration Project).

1.5 Nonpoint Source Workplan

The Nonpoint Source Workplan is primarily a planning effort to detail the North Coast Water Board's NPS pollution control activities. Division staff, in collaboration with other planning staff from the Adaptive Management Unit, work together to prioritize, track and report nonpoint source activities in the region. Division staff developed the Five-Year Nonpoint Source Workplan (2020-2025) in coordination with State Water Board and U.S. Environmental Protection Agency staff. The State Water Board intends to approve the new Five-Year NPS Workplan during Fiscal Year 2020-21.

2.0 DIVISION RESOURCES

2.1 Staffing

There are four units that implement the Division’s program activities: 1) the Northern Nonpoint Source and Forestry Unit, 2) the Southern Nonpoint Source and Forestry Unit, 3) the Northern Nonpoint Source and 401 Certification Unit, and 4) the Southern Nonpoint Source and 401 Certification Unit. The Division also supports the Region’s Restoration Specialist. The Administration Unit provides program support. In FY 2019-20 additional staff were incorporated into the Division as a result of the SB-901 requirements. The introduction of new SB-901 staff is currently underway as is accounted for in Table 1 below.

Table 1 provides a breakdown of staff resources.

Table 1 – Division Staff, Includes Management and Support Staff

Position	Name	Classification	PYs
NPS and Surface Water Protection	Jonathan Warmerdam	Environmental Program Manager I (Supervisor)	1.0
Permit and Restoration Coordinator	Jake Shannon	Senior Environmental Scientist (Specialist)	1.0
Northern NPS and Forestry	Forest Fortescue	Senior Engineering Geologist	1.0
Northern NPS and Forestry	Benjamin Minx	Engineering Geologist	1.0
Northern NPS and Forestry	Michael Huma	Engineering Geologist	1.0
Northern NPS and Forestry	Devon Jorgenson	Engineering Geologist	1.0
Northern NPS and Forestry	Carley Dunleavy	Engineering Geologist	1.0
Northern NPS and Forestry	Tim Walcott	Environmental Scientist	1.0
Northern NPS and Forestry	VACANCY	Engineering Geologist	1.0
Southern NPS and Forestry	James Burke	Senior Engineering Geologist	1.0
Southern NPS and Forestry	Joelle Geppert	Water Resource Control Engineer	0.8
Southern NPS and Forestry	Cheryl Blatt	Water Resource Control Engineer	1.0

Nonpoint Source & Surface Water Protection Division
 Division Workplan for FY 2020-2021

Position	Name	Classification	PYs
Southern NPS and Forestry	Margaret Robinson	Engineering Geologist	1.0
Southern NPS and Forestry	Carey Wilder	Engineering Geologist	1.0
Southern NPS and Forestry	Izaak Russo	Engineering Geologist	1.0
Southern NPS and Forestry	Justin Fitt	Environmental Scientist	1.0
Northern NPS and 401 Certification	Ryan Bey	Senior Environmental Scientist (Supervisor)	1.0
Northern NPS and 401 Certification	Brandon Stevens	Environmental Scientist	1.0
Northern NPS and 401 Certification	Scott Gergus	Engineering Geologist	1.0
Northern NPS and 401 Certification	Shannon Strong	Environmental Scientist	1.0
Northern NPS and 401 Certification	VACANCY	Environmental Scientist	1.0
Southern NPS and 401 Certification	Gil Falcone	Senior Environmental Scientist (Supervisor)	1.0
Southern NPS and 401 Certification	Kaete King	Environmental Scientist	1.0
Southern NPS and 401 Certification	Susan Stewart	Environmental Scientist	1.0
Southern NPS and 401 Certification	Dean Prat	Engineering Geologist	1.0
Southern NPS and 401 Certification	VACANCY	Environmental Scientist	1.0
Administration Unit	Edith Viera	Admin Officer	Variable
Administration Unit	3 Staff	Support Staff	Variable
Total:			27.8
Vacancies:			3.0

2.2 COVID-19-related impacts on Division output during FY 2020-21

The coronavirus pandemic which began in late 2019 has spread to every country across the planet and has already claimed approximately 500,000 lives worldwide as of the end of June 2020. The effects on lives and the economy around the planet is profound, with little success at controlling the virus's spread, and an unknown timeline for when the virus may be contained. In California, cases are continuing to rise, including within the

Nonpoint Source & Surface Water Protection Division
Division Workplan for FY 2020-2021

North Coast Region, which is greatly disrupting both the personal and professional lives of staff from the North Coast Water Board.

Staff from the Nonpoint Source and Surface Water Protection Division have seen significant impacts on their normal work activities as a result of office depopulation, staff transitions to telework, technical difficulties with home computers, resource limitations, shelter-in-place orders, school closures, and at-risk dependents.

Safety protocols to protect staff from becoming infected by the virus, or potentially spreading it to others, have required a new approach to inspection activities, personal protection measures, vehicle decontamination, social distancing, and more. Additionally, based on the vast size of the North Coast Region, some inspections of project sites or facilities would necessitate staff to stay overnight in questionable and/or difficult lodging circumstances. Some staff, their families, and/or stakeholders, are uncomfortable conducting business as usual, especially when they or their loved ones are considered “at risk” due to age or specific health conditions.

The significant economic disruption to the State of California has also resulted in a hold on filling current vacancies within the Division, and three critical position remain unfilled at this time: two in the 401 Certification Program and one in the Forest Activities Program. New contract negotiations were conducted between unions and the Governor to identify approximately 10% cost savings to offset the economic losses to the State. These cost savings will result in approximately two days of less work per staff, each month.

Additionally, two full time staff within the Division have volunteered to be redirected to conduct the important work of contact tracing for the next six to nine months on behalf of the State.

As a result of these disruptions, staff have been unable to successfully keep up with the demands of their normal performance commitments. The diversity and volume of work that is expected of staff continues - even with these significant disruptions. New project applications, special assignments, permit processing, complaints, enforcement, negotiations with agencies and stakeholders, all continue at a steady pace, even as staff time and resources are compromised.

To address these limitations, the Nonpoint Source and Surface Water Protection Division’s Fiscal Year 2020-21 Workplan has been adjusted to accommodate some of the reduced performance metrics. Several programs, including the Forest Activities Program, 401 Water Quality Certification Program, Dairy Program, and Five Counties Road Maintenance Program, have identified conservative expectations on proposed performance metrics, which are reflected in this document, and will be adjusted over time.

3.0 FOREST ACTIVITIES PROGRAM

3.1 Core Activities and Projects by Priority

The primary responsibilities of program staff are categorized based on priority listed in Table 2. Most are described in detail and assigned to specific staff in Section 3.2.

Table 2 – FY 20/21 Program Core Activities and Projects by Priority

Priority Level	Activity/Project	Category	Target Date
1	a. Review/permit/enforcement of timber projects on private land and nonpoint source activities on Federal lands	Core	Ongoing
1	b. Present Short-Term Renewal of Federal Lands Permit to Board for adoption hearing	Special	August 2020
1	c. Initiate development of new Federal Lands Permit and CEQA Analysis	Special	December 2020
1	d. Governor’s California Forest Management Task Force	Core	Ongoing
1	e. Implementation of and reporting on AB1492 requirements	Core	Ongoing
1	f. Review and participate in BOF rule making efforts	Core	Ongoing
1	g. Conduct SB-901 related activities	Core	Ongoing
1	h. Staff Supervision	Core	Ongoing
2	i. Renewal or revision of Categorical Waiver for Non-Federal Timber Harvest Activities	Special	December 2021
2	j. Develop Working Forest Management Plan permit	Special	TBD
2	k. Engagement in Effectiveness Monitoring Committee	Special	Ongoing
2	l. 5-County Roads Program and Rural Roads Initiative	Core	Ongoing
2	m. Unplanned work activities	Special	Ongoing

3.2 Core Activity and Special Project Descriptions

Core activities and special projects are listed below and identified by the priority (1, 2, 3, etc.) and the letter (a, b, c, etc.) listed in Table 2 above.

a – Review/permit/enforcement of timber projects on private land and nonpoint source activities on Federal lands

Summary: Core activity. See description above under Forest Activities Program.

PY Allocation for FY 20/21: 8.9

b – Present Short-Term Renewal of Federal Lands Waiver to Board for adoption hearing

Summary: Special project. Develop short-term renewal of existing Federal Lands Permit to be presented to the board for consideration of adoption in August 2020.

PY Allocation for FY 20/21: 0.3

Milestones	Target Date
Adoption hearing for short-term renewal of 2015 Federal Lands Waiver	August 2020

c – Initiate development of new Federal Lands Permit and CEQA Analysis

Summary: Special project. Initiate development of new Federal Lands Permit and CEQA Analysis following adoption hearing for Short-Term Renewal of Federal Lands Waiver. The new Federal Lands Permit is expected to incorporate the following general revisions: ADD specifics. Initiate Tribal Consultations per AB-52 prior to circulation of draft CEQA document. Circulate draft CEQA analysis to managers and public for draft Federal Lands Permit. Initiate agency/public review of draft Federal Lands Permit in June 2022 and host a public workshop during the comment period of the draft Federal Lands Permit. Bring the proposed Permit to the Board for consideration of adoption by August 2022.

PY Allocation for FY 20/21: 1.3

Milestones	Target Date
Initiate development of draft Federal Lands Permit	August 2020 to March 2021
Tribal consultations	March 2021 to September 2021
CEQA public review	September 2021 to March 2022
Draft Federal Lands Permit workshop	June 2022
Proposed Federal Lands Permit adoption hearing	August 2022

d – Governor’s Forest Management Taskforce

Summary: Core activity. Participate in the Governor’s Forest Management Taskforce and subgroup meetings. See description above under Forest Activities Program.

PY Allocation for FY 20/21: 0.05

e – Implementation of and reporting on AB1492 requirements

Summary: Core activity. Participate in Effectiveness Monitoring Committee, AB 1492 leadership meetings, and CalTrees permitting synchronizations. See description above under Forest Activities Program.

PY Allocation for FY 20/21: 0.2

f – Review and participate in Board of Forestry rule making efforts

Summary: Core activity. See description above under Forest Activities Program.

PY Allocation for FY 20/21: 0.2

g – Conduct Senate Bill 901 (SB-901) related activities

Summary: Core activity. SB-901 tasks include oversight of fuels reduction projects conducted through CalFire timber exemptions, assistance to the State Water Board in the development of a new statewide Vegetation Management General Order and a new Utility Wildfire Mitigation General Order, and oversight of utility corridor activities in collaboration with Nonpoint Source and 401 Certification Units staff.

PY Allocation for FY 20/21: 2.4

h – Staff Supervision

Summary: Support Program staff and provide supervision for work-related activities and products.

PY Allocation for FY 20/21: Variable

i – Renewal or revision of Categorical Waiver for Non-Federal Timber Harvest Activities

Summary: Special project. Renewal or revision of the Categorical Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities on Non-Federal Lands in the North Coast Region, Order No. R1-2014-0011 (extended via a short-term renewal by Order No. R1-2019-0008).

Key Issues to Resolve: Determine whether activities covered under the Categorical Waiver are implemented in a manner that are protective of water quality. Consider revising regulatory requirements based on ongoing review of CALFIRE exemptions (EX) and emergency (EM) notices. Continue to work with CalFire and Board of Forestry to conduct monitoring and reporting of EX/EM projects as required by Senate Bill-901. Prepare a revised Categorical Waiver for adoption in December 2021.

PY Allocation for FY 20/21: 0.1

Milestones	Target Date
Adoption hearing for new Categorical Waiver	December 2021

j – Develop permitting approach to Working Forest Management Plans

Summary: Special project. Permit new Working Forest Management Plans (WFMP) on a case-by-case basis.

Key Issues to Resolve: It is not clear whether we will receive many WFMP project submittals within the North Coast Region. Currently, we do not have a general WDR or waiver of WDR that is specifically focused on WFMPs. However, our existing permitting mechanisms may be sufficient to authorize these special projects on a case-by-case basis. Evaluate need for a future dedication of resources to develop a WFMP-specific permit, depending upon number of projects and other project-specific considerations.

PY Allocation for FY 20/21: 0.05

k – Engagement in Effectiveness Monitoring Committee

Summary: Core activity. See description above under Forest Activities Program.

PY Allocation for FY 20/21: 0.1

l – 5-County Roads Program and Rural Roads Initiative

Summary: Core activity. See description above under Forest Activities Program.

Key Issues to Resolve: Continue to pursue/develop rural roads initiative.

PY Allocation for FY 20/21: 0.2

m – Unplanned Work Activities

Summary: Identify, prioritize and respond to unplanned work activities.

PY Allocation for FY 20/21: Variable

3.3 Performance Targets

3.3.1 Reported to State Board via ORPP

The Performance Target for the Forest Activities Program that is reported to the State Water Board is based on the number of inspections conducted on private land timber harvesting projects and federal agency nonpoint source activities. Senate Bill 901 did not come with specific targets for total number of inspections, so the Workplan reflects cumulative sum of all timber inspections. Table 3 shows our targets, the number of inspections conducted, and the percent completed since 2016-17.

Nonpoint Source & Surface Water Protection Division
Division Workplan for FY 2020-2021

Table 3 – Performance Targets for the last FY and proposed for FY 20/21

Fiscal Year	Target Inspections	Reported Inspections	% Target Complete
2016-17	175	256	146%
2017-18	185	174	94%
2018-19	175	201	115%
2019-20	180	188	105%
2020-21	90*	-	-

*Target inspection for FY 2020-21 reduced as a result of Covid-19 pandemic.

4.0 NONPOINT SOURCE AND 401 CERTIFICATION PROGRAM

4.1 Core Activities and Projects by Priority

The primary responsibilities of program staff are categorized based on priority listed in Table 4. Most are described in detail and assigned to specific staff in Section 4.2 with estimated time for each.

Table 4 – FY 20/21 Program Core Activities and Projects by Priority

Priority Level	Activity/Project	Category	Target Date
1	a. Review/Permit Dredge and Fill projects	Core	Ongoing
1	b. Respond to complaints and conduct enforcement	Core	Ongoing
1	c. Coordinate with State Board on program policies and new general orders	Core	Ongoing
1	d. Caltrans Liaison	Core	Ongoing
1	e. Proposed WDR adoption hearing for Sonoma Water's Stream Maintenance Program	Special	December 2020
1	f. SB 901 Utility Corridor Work	Core	Ongoing
1	g. Staff Supervision	Core	Ongoing
2	h. Vineyard and Fish Friendly Farming review/inspection	Core	Ongoing
2	i. Unplanned Work Activities	Special	Ongoing

4.2 Core Activity and Project Descriptions

Activities and projects are listed below and identified by the priority (1, 2, 3, etc.) and the letter (a, b, c, etc.) listed in Table 4 above.

a – Review/Permit Dredge and Fill projects

Summary: Review and issue dredge and fill permits for impacts to waters of the state. See Nonpoint Source and 401 Water Quality Certification Unit description for details.

Key Issues to Resolve: In 2019, the State Water Board adopted new Dredge and Fill Procedures, which presents some changes to how the Regional Water Board regulates these activities. Additionally, staff from the Nonpoint Source and 401 Certification Unit provide technical assistance to the Cannabis Program, watershed stewardship activities, and some external enforcement activities.

PY Allocation for FY 20/21: 2.6

b – Respond to complaints and conduct enforcements

Summary: Respond to complaints and conduct enforcement if necessary, both for projects permitted through the program and through public generated complaints for non-permitted projects.

PY Allocation for FY 20/21: 0.7

c – Coordinate with State Board on program policies and new general orders

Summary: Includes participation in the implementation of the new Wetland Procedures as well as new Utility Wildfire Mitigation General Order. Participate in the development process for the new statewide general restoration permit for mid-scale to large-scale restoration projects.

PY Allocation for FY 20/21: 0.3

d – Caltrans Liaison

Summary: The Caltrans Liaison works with the California Department of Transportation to ensure that highway improvement projects are protective of water quality.

PY Allocation for FY 20/21: 1.0

e – Proposed WDR adoption hearing for Sonoma Water’s Stream Maintenance Program

Summary: The Sonoma Water’s Stream Maintenance Program activities are regulated by the Regional Water Board’s 401 water quality certification and a waiver of waste discharge requirements, which expires in December 2020. Staff will be bringing a new waiver or waste discharge requirements to the board in December 2020 for consideration of adoption.

PY Allocation for FY 20/21: 0.5

Milestones	Target Date
Board adoption	December 2020

f – SB 901 Utility Corridor Work

Summary: Review and inspect utility corridor maintenance activities as requires by SB 901. Coordinate with SB-901 Forest Activities Program staff during review and permitting of utility corridor projects. Participate with State Water Board during development of a statewide utility corridor permit.

Key Issues to Resolve: Work with State Water Board, CalFire, and public utilities to identify most appropriate permitting mechanism and review process for utility corridor maintenance projects.

PY Allocation for FY 20/21: 2.6

g – Staff Supervision

Summary: Support Program staff and provide supervision for work-related activities and products.

PY Allocation for FY 20/21: Variable

h – Vineyard and Fish Friendly Farming review/inspection

Summary: Participate in the review of participating vineyards for conformance with Fish Friendly Farming certification program. Staff review farm plans conduct vineyard inspections, and coordinate with other reviewing agencies.

PY Allocation for FY 20/21: 0.2

i – Unplanned Work Activities

Summary: Identify, prioritize and respond to unplanned work activities.

PY Allocation for FY 20/21: Variable

4.3 Performance Targets

4.3.1 Reported to State Board

The 401 program is not yet required to have official performance targets. However, data from permits are entered into CIWQS and the first four non-official performance measures are listed in Table 5. These are not officially required or reported.

Table 5 – CIWQS Performance Measures for the last FY and proposed for FY 20/21

Fiscal Year	Performance Measure 1 Total # Active Permits	Performance Measure 2 Total # Permits Received in FY	Performance Measure 3 Number of days from receipt of application to first regulatory action	Performance Measure 4 Number of days from receiving complete application to issuance of permit
f2016/17	639	150	27	46
2017/18	649	149	14	29
2018/19	659	~151	24	24
2019/20	~630	151	<30	<60
2020/21	-	-	-	-

*Performance targets for FY 2020-21 likely to be reduced as a result of Covid-19 pandemic.

5.0 DAIRY PROGRAM

5.1 Core Activities and Projects by Priority

The primary responsibilities of program staff are categorized based on priority listed in Table 6. Dairy program activities are assigned to one staff as detailed in Section 5.2.

Table 6 – FY 20/21 Program Core Activities and Projects by Priority

Priority Level	Activity/Project	Category	Target Date
1	a. Dairy enrollments/un-enrollments	Core	Ongoing
1	b. Dairy inspections (enrollment, compliance, complaint, enforcement, etc.)	Core	Ongoing
1	c. Monitoring Program: maintenance and data analysis	Core	Ongoing
1	d. Nutrient Management Plan Review	Core	Ongoing
1	e. Staff Supervision	Core	Ongoing
2	f. Education and Outreach Workshops	Core	Ongoing
2	g. Secure contract funding for UCCE study on North Coast Nutrient Management Planning Budget Analysis	Special	June 2021
2	h. Unplanned Work Activities	Special	Ongoing

5.2 Core Activity and Project Descriptions

Activities and projects are listed below and identified by the priority (1, 2, 3, etc.) and the letter (a, b, c, etc.) listed in Table 6 above.

a – Dairy enrollments/un-enrollments

Summary: Enroll and un-enroll dairies into the revised GWDR.

PY Allocation for FY 20/21: 0.4

b – Dairy inspections (enrollment, compliance, complaint, enforcement, etc.)

Summary: Conduct inspections for enrollments, permit compliance, complaints, and enforcement in order to protect waters of the state, avoid/minimize impacts, mitigate for unavoidable impacts.

PY Allocation for FY 20/21: 0.2

c – Monitoring Program: maintenance and data analysis

Summary: Implement existing Monitoring and Reporting Program requirements.

PY Allocation for FY 20/21: 0.1

d – Nutrient Management Plan Review

Summary: Review Nutrient Management Plan information in Water Quality Plans and during onsite inspections.

PY Allocation for FY 20/21: 0.2

e – Staff Supervision

Summary: Support Program staff and provide supervision for work-related activities and products.

PY Allocation for FY 20/21: Variable

f – Education and Outreach Workshops

Summary: Maintain an education and outreach program for dairy program.

Key Issues to Resolve: Facilitate dairy operator's ability to understand water quality protection measures they can implement to help protect water quality; stay up to date on the latest issues and protection measures.

PY Allocation for FY 20/21: 0.1

g – Contract Management UCCE Nutrient Management Plan Analysis

Summary: Assist in securing a discretionary contract with U.C. Cooperative Extension to conduct Dairy Nutrient Management Planning. Manage the awarded contract.

Key Issues to Resolve: At this date, the certainty that this contract will be funded is unknown due to limitations on discretionary contract funds due to the Covid-19 emergency. Contract training necessary for oversight of this new contract.

PY Allocation for FY 20/21: 0.1

h – Unplanned Work Activities

Summary: Identify, prioritize and respond to unplanned work activities.

PY Allocation for FY 20/21: Variable

5.3 Performance Targets

5.3.1 Reported to State Board via ORPP

The Performance Target for the program that is reported to the State Water Board is based on the number of dairy inspections conducted. Table 7 shows our targets, the number of inspections conducted, and the percent completed since 2016-17. The

Nonpoint Source & Surface Water Protection Division
 Division Workplan for FY 2020-2021

reduced number of inspections completed in FY 18/19 and 19/20 was due to staff's prioritized time spent in drafting the revised GWDR. The reduced number of inspections completed in FY 19-20 as well as those targeted for 2020-2021 and is due to impacts from the coronavirus pandemic.

Table 7 – Performance Targets for the last FY and proposed for FY 20/21

Fiscal Year	Target Inspections	Reported Inspections	% Target Complete
2016-17	25	24	96%
2017-18	25	25	100%
2018-19	25	12	48%
2019-20	15	18	120%
2020-21	5*	-	-

*Target inspection for FY 2020-21 reduced as a result of Covid-19 pandemic.

6.0 RESTORATION PROGRAM

6.1 Core Activities and Projects by Priority

The primary responsibilities of program staff are categorized based on priority listed in Table 8.

Table 8 – FY 20/21 Program Core Activities and Projects by Priority

Priority Level	Activity/Project	Category	Target Date
1	a. Implement Policy in Support of Restoration	Core	Ongoing
1	b. Mendocino County Permit Coordination Program	Core	Ongoing
1	c. Wood for Salmon Working Group	Core	Ongoing
1	d. Work with Agencies and Stakeholders to Address Roadblocks to Restoration	Core	Ongoing
1	e. Develop Programmatic 401 Certification strategy for Redwoods Rising Ecosystem Restoration Projects	Special	December 2020
1	f. Staff Supervision	Core	Ongoing
2	g. Unplanned Work Activities	Special	Core

6.2 Core Activity and Project Descriptions

Activities and projects are listed below and identified by the priority (1, 2, 3, etc.) and the letter (a, b, c, etc.) listed in Table 7 above.

a – Implement Policy in Support of Restoration in the North Coast Region

Summary: The primary duty of the Restoration Specialist, with support from the Division Chief, is to implement the Policy in Support of Restoration in the North Coast Region.

PY Allocation for FY 20/21: 0.75

b – Mendocino County Permit Coordination Program

Summary: Oversee the ongoing implementation of the Mendocino County Permit Coordination Program (MCPCP). Renew the General 401 and Waiver of WDRs for MCPCP.

Key Issues to Resolve: Seek public funding assistance to support further implementation of conservation and restoration projects through the MCPCP.

PY Allocation for FY 20/21: 0.1

c – Wood for Salmon Working Group

Summary: Continue to chair the Wood for Salmon Working Group.

Key Issues to Resolve: Develop incentives and remove barriers that inhibit the implementation of large wood restoration projects.

PY Allocation for FY 20/21: 0.1

d. – Work with Agencies and Stakeholders to Address Roadblocks to Restoration

Summary: Participate in multi-agency and stakeholder coordination efforts to address roadblocks to restoration, including the Resource Agency’s “Cutting the Green Tape” initiative and CDFW’s “Stronger, Faster, Better” efforts. Support State Water Board effort to develop statewide general permit for mid-scale to large-scale restoration projects.

PY Allocation for FY 20/21: 0.1

e – Develop Programmatic 401 Certification strategy for Redwoods Rising Ecosystem Restoration Projects

Summary: Develop and adopt General Water Quality Certifications for two watershed-scale restoration projects (the Greater Mill Creek Ecosystem Restoration Project and the Greater Prairie Creek Ecosystem Restoration Project).

Key Issues to Resolve: Coordinating with California State Parks and the National Parks Service to develop appropriate project notification, monitoring, and reporting programs and schedule.

PY Allocation for FY 20/21: 0.05

f – Staff Supervision

Summary: Support Program staff and provide supervision for work-related activities and products.

PY Allocation for FY 20/21: Variable

g – Unplanned Work Activities

Summary: Identify, prioritize and respond to unplanned work activities.

PY Allocation for FY 20/21: Variable

7.0 NONPOINT SOURCE WORKPLAN

7.1 Core Activities and Projects by Priority

The primary responsibilities of program staff are categorized based on priority listed in Table 9. Implementation of the Nonpoint Source Workplan activities is done with support from staff across the North Coast Water Board office, especially the Adaptive Management unit.

Table 9 – FY 20/21 Program Core Activities and Projects by Priority

Priority Level	Activity/Project	Category	Target Date
1	a. Annual Workplan	Core	Ongoing
1	b. Semi-Annual Progress Reports	Core	Ongoing
1	c. Develop Annual Report	Core	Ongoing

7.2 Core Activity and Project Descriptions

Activities and projects are listed below and identified by the priority (1, 2, 3, etc.) and the letter (a, b, c, etc.) listed in Table 7 above.

a – Develop Annual Workplan

Summary: The Annual Workplan is developed each fiscal year and lays out how our region is using the 319h dollars that we received from the USEPA/State Board to fund staff work.

PY Allocation for FY 20/21: 0.025

b – Develop semi-annual progress reports (SAPRs)

Summary: SAPRs document staff progress towards accomplishing the goals in the Annual Workplan.

PY Allocation for FY 20/21: 0.025

c – Develop Annual Report

Summary: The Annual Report identifies our NPS accomplishments over the previous year and is reported to EPA in August of each year.

PY Allocation for FY 20/21: 0.025